

Catawba County Board of Commissioners
Regular Session, April 20, 2009, 7:00 p.m.

Appointments

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Right-of-Way Agreement	347	04/20/09
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Emergency Services

Appropriation of Existing Fund Balance to Oxford Fire Department for the Purchase Of a Custom Side Mount Pumper with Custom Spartan Chassis	347	04/20/09
Approval of 6 Mile Fire Insurance District Maps Which Would Benefit 672 Homeowners With Lower Fire Insurance Rate and the Re-approval and Re-formatting of the Remaining 5 Mile Insurance District Maps	348	04/20/09

Planning

Close-Out of the 2006 Community Development Block Grant (CDBG) Scattered Site Housing Grant	346	04/20/09
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Proclamations

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Sheriff's Office

Budget Transfer for Renovations and Repairs of the Burke-Catawba District Confinement Facility	347	04/20/09
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Tax

Appropriation of funds needed for payment of Contracted Services for Collection of Tax Revenues	347	04/20/09
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Utilities and Engineering

North Carolina Department of Transportation Right-of-Way Agreement	347	04/20/09
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The Catawba County Board of Commissioners met in regular session on Monday, April 20, 2009 at 7:00 p.m. in the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chair Katherine W. Barnes, Vice-Chair Lynn Lail and Commissioners Dan Hunsucker and Glenn Barger. Commissioner Barbara G. Beatty was at another meeting and joined this Board Meeting at 7:12 p.m.

Also present were Assistant County Manager Dewey Harris, County Attorney Debra Bechtel, Deputy County Attorney Anne Marie Pease and County Clerk Barbara Morris.

County Manager J. Thomas Lundy and Assistant County Manager Lee Worsley were on business out of the County.

1. Chair Katherine W. Barnes called the meeting to order at 7:00 p.m.

Chair Barnes noted that Commissioner Barbara Beatty was attending another meeting and would join this meeting shortly.

2. Commissioner Glenn E. Barger led the Pledge of Allegiance to the Flag.
3. Chair Barnes offered the invocation.
4. Commissioner Barger made a motion to approve the minutes of the Regular and Closed Session Meetings of April 6, 2009. The motion carried unanimously.
5. Recognition of Special Guests: Chair Barnes welcomed everyone present, specifically students from Bandy's High School AP Government Class, and acknowledged Sheriff Huffman's presence at the meeting for an item on the agenda.
6. Public Comments for Items not on the Agenda: None.
7. Presentations:
 - a. Commissioner Dan Hunsucker presented a proclamation to Cooperative Extension Agent Kelly Groves recognizing May 3-9, 2009 as National County Government Week. The week commends counties for providing essential public services to 300 million Americans and, in keeping with the 2009 theme of County Government Week, "Greening Our Future", commends Catawba County for its commitment to the protection of valuable and vulnerable environmental resources. Ms. Groves displayed the County webpage for the Board and audience, which outlined the activities scheduled in the County to mark National County Government Week.
 - b. Commissioner Barger presented a proclamation to Drug Treatment Court Director Reva Cook declaring May as Drug Court Month in Catawba County. The proclamation recognized the 20th anniversary of the first Drug Court, the growth in the number of courts to 2301 operating Drug Courts and 3410 problem solving courts nationwide, and its success for the past twenty years in fighting against drug abuse and criminality. Ms. Cook invited the Board members to attend Drug Court Graduation on May 15, 2009 when three graduates will be recognized and join the 70 previous graduates of this valuable program.
8. Public Hearing:

Jacky Eubanks, Director of Planning, Parks and Development, came forward and requested the Board hold a public hearing on the close-out of a 2006 Community Development Block Grant (CDBG) Scattered Site Housing Grant and direct staff to complete the close-out process of this grant. Catawba County was awarded a \$400,000 Scattered Site Housing Grant in 2006 to rehabilitate seven homes, clear and relocate one new home, and rehabilitate eight homes located across the County through emergency repair funds. To date, six homes were rehabilitated, one home was cleared/relocated, and thirteen houses were rehabilitated through emergency repairs. All activities will be completed by April 30, 2009. CDBG funds financed 100% of the total project costs along with an additional \$20,000 of Duke Energy Funds for two homes. The County was not required to match these funds. Chair Barnes opened the public hearing and noted that it had been duly advertised. No one came forward to speak for or against the close-out of this grant. Chair Barnes closed the public hearing and Commissioner Hunsucker made a motion to direct staff to close-out the grant. The motion carried unanimously.
9. Appointments.

Vice-Chair Lynn Lail recommended the reappointment of Margery Adams for a sixth term on the Nursing and Rest Home Advisory Committee. Ms. Adams' term will expire May 5, 2012. Vice-Chair Lail also recommended the Western Piedmont Council of Governments reappoint Frances Landaas, Jane Murphy and Harriett Bannon for second terms on the WPCOG Aging Advisory Committee. These terms will expire June 30, 2011. Commissioner Glenn Barger recommended the reappointment of Jeffrey Hale for a first full term on the CVCC Board of Trustees. Mr. Hale had been filling an unexpired term and this first full term will expire June 30, 2013.

These recommendations came in the form of a motion and the motion carried unanimously.

10. Consent Agenda:
Assistant County Manager Dewey Harris presented the following three items for the Board's consideration:
- a. A request for the Board to approve the appropriation of \$65,000 for contract services for the discovery of business personal property not listed on tax rolls. The County has a contract with Tax Management Associates, Inc. (TMA) to discover and list all business personal property not filed with the Tax Department. This has resulted in additional total tax revenue being collected that the County and its municipalities would not have been aware of, or received, without the services provided by TMA. The County remits to TMA 45% of the taxes collected in the year the discovery is made, once the discovered tax bills are collected. The County has received an invoice dated March 19, 2009, in the amount of \$78,450, in accordance with a May 16, 2008 addendum to the County's contract with TMA. The invoice reflects that the County and fire district portion due to TMA is \$43,052. Funds are budgeted annually to pay TMA's contracted costs, but TMA identified more unlisted business personal property than anticipated this year. There is \$60,645 remaining in this line item, but further invoices in the amount of \$46,773 are anticipated for completed auditing services, in addition to the current invoice of \$78,450, resulting in a funding gap of \$65,000. The municipalities involved will reimburse the County for \$35,398 of these fees.
 - b. A request for the Board to approve the appropriation of \$82,769 of the existing fund balance of the Oxford Fire Department for the purchase of a new 1500 gallon per minute (g.p.m.) custom side mount pumper, with custom Spartan chassis, through C.W. Williams Company of Rocky Mount, NC. Each department has its own fund balance, created through tax revenue collections exceeding budget projections for a given year, which is carried from year to year unless the department makes a request to appropriate it. A fire department may utilize 90% of its existing fund balance to address major projects such as new buildings, building additions, truck replacement and other "large ticket" items. The purchase of this truck will enhance the Oxford Fire Department's ability to provide fire protection to its citizens. It would replace a 1983 GMC 1000 g.p.m. pumper. The new 1500 g.p.m. pumper has the ability to flow 50% greater volume of water than the 1983 pumper, allowing more water to be applied to the fire more quickly. The new pumper accommodates one additional firefighter and has additional compartment space needed to carry equipment required by current standards.
 - c. A request for the Board to grant to the North Carolina Department of Transportation (NCDOT) a right-of-way agreement on Rocky Ford Road, contiguous to the Blackburn Landfill property, associated with a driveway permit for the County's new Biodiesel Research Facility. On July 21, 2008, the Board awarded a design contract for the Biodiesel Research Facility to Camp, Dresser & McKee. The design is 98% complete, and the project is scheduled to be advertised for bids for construction in late April 2009. The design includes plans for a new entrance on Rocky Ford Road, and a driveway permit from NCDOT is required for this new access. NCDOT is requiring a 60 foot wide right-of-way along the road frontage of the County property on Rocky Ford Road prior to approving the driveway permit. The 60 foot wide right-of-way will be measured 30 feet on each side of the existing center of pavement. The agreement also requires that 10 foot by 70 foot site triangle easements be reserved on either side of the driveway connection to help insure safe ingress and egress. Granting this 60 foot right-of-way and the site triangle easements will not negatively impact any existing or future EcoComplex or Landfill activities.

Chair Barnes asked if any Commissioner wished for an item or items to be removed from the consent agenda and considered individually. None were requested. Vice-Chair Lail made a motion to approve the consent agenda. The motion carried unanimously.

11. Departmental Reports:
- a. Sheriff's Office:
Sheriff David Huffman presented a request for the Board to approve the transfer of \$539,353 remaining in the budget for the expansion of the County jail in Newton to fund Catawba County's share of costs to renovate the Burke-Catawba District Confinement Facility (BCDCF). \$539,353 will represent Catawba County's 50% share for the renovation project, which was awarded by the Burke-Catawba Regional Jail Authority to Hickory Construction Company, the low bidder.

Faced with a growing need for jail space, County staff began in 1994 to evaluate options to alleviate overcrowding. After weighing a variety of options, Catawba County entered into an agreement with Burke County in March 1996 to operate a District Confinement Facility. The 176-bed facility, located in Morganton, was built by Burke County in 1992. The BCDCF allows the two counties to operate on an economy of scale, by equally splitting the cost of the facility and its operations and the revenues derived from renting unused beds to the State, Federal government and other counties. Even with the 2007 expansion of the Catawba County Detention Center in Newton, the County's investment in the BCDCF continues to pay dividends, as Catawba County was able to add fewer beds in the expansion than otherwise would have to been needed.

As with most sixteen year old buildings, problems have developed at the BCDCF that require repair. On February 25, 2009, the Burke-Catawba Regional Jail Authority authorized the construction bid process for renovations, which would include repairs to address moisture in cell grilles, repair of padded cells, light fixtures and a security cover over the existing court yard, and kitchen upgrades. On March 26, 2009, five bids were received, with the lowest bid being from Hickory Construction Company. The Burke-Catawba Jail Authority voted on April 8, 2009, to award the bid to Hickory Construction Company in the amount of \$1,013,706, and appropriate \$50,000 contingency for any unforeseen conditions resulting in a change order and \$15,000 for material testing. Total funds needed for the project are \$1,078,706, with Catawba County's share totaling \$539,353. These funds are available from the previous jail expansion project. Commissioner Barger asked the Sheriff if there were currently beds available at this facility to lease to the State. Sheriff Huffman replied that at the current time Catawba County was leasing beds to both Burke County from Catawba County's share of beds in the facility as well as leasing beds to the Federal Government. Commissioner Barger then made a motion to approve this budget transfer. The motion carried unanimously.

b. Emergency Services:

Emergency Services Director David Weldon presented a request for the Board to approve 6 mile fire insurance district maps for the Bandys, Catawba, Cooksville, Mountain View, Propst, and Sherrills Ford-Terrell Fire Departments and 5 mile insurance district maps in a GIS-format for the Conover, Hickory, Long View, Maiden, Newton, Oxford, and St. Stephens Fire Departments. Almost 700 home owners are expected to save an average of \$105 a year in insurance costs. No fire district boundaries will change, only insurance rating districts. The North Carolina Department of Insurance allows fire departments across the state to apply for a 6 mile insurance rating district. Departments in Catawba County have historically been rated based on a 5 mile insurance district with a rating scale from 1 to 9S, with 1 being the best possible rating. Any properties beyond the 5 mile district were considered to be unrated.

Departments that meet the State requirements for a 6 mile district will allow property owners who live more than 5 miles, but less than 6 miles, from a department to receive a 9E rating. The 9E rating will affect 672 home owners countywide, as follows: 213 in the Bandys district, 98 in the Catawba district, 32 in the Claremont district, 47 in the Cooksville district, 25 in the Mt. View district, 219 in the Propst district, and 38 in the Sherrills Ford-Terrell district. The 9E rating offers the possibility of a reduction in insurance costs of as much as 45%, according to the North Carolina Department of Insurance. A homeowner with a \$100,000 house, with smoke detectors, would save an average of \$105 annually. The rate will vary based on the insurance company. It is each fire department's decision to apply for a 6 mile district and some departments in the county do not have unrated areas greater than 5 miles. The State requires that fire district maps be submitted to the Department of Insurance. Prior to GIS technology, districts were described using verbiage with references to landmarks. With the creation of GIS technology, maps can now be utilized for this same purpose without the confusion of written descriptions. With the submittal of the new 6 mile district maps, the Department of Insurance has requested that all district maps for Catawba County be submitted in the GIS format. Chair Barnes noted that the adoption of these maps would be beneficial to homeowners and asked Mr. Weldon how the affected property owners would be notified so they could contact their insurance companies regarding a possible reduced rate on their insurance. Mr. Weldon said the County's GIS staff was working on identifying all the affected homeowners and the Emergency Services staff would be working with both the Fire Chiefs and Public Information Officer Dave Hardin to make these notifications. Commissioner Barbara Beatty made a motion to approve

the 6 mile fire insurance district maps and also approve the GIS format for the 5 mile fire insurance district maps. The motion carried unanimously.

12. Other Items of Business: None.
13. Attorneys' Report: None.
14. Manager's Report: None.
15. Adjournment: Commissioner Barger made a motion to adjourn at 7:35 p.m. The motion carried unanimously.

Katherine W. Barnes, Chair
Board of Commissioners

Barbara E. Morris, County Clerk